

WM/CAS: USAO 2011R00144

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

DARNELL DAVIS,
RONNELL DAVIS, and
CORTEZ MAURICE MALLORY,

Defendants

CRIMINAL NO. DKC-11-0171

(Bank Robbery, 18 U.S.C. §§ 2113(a)
(first paragraph) and (f); Use, Carry,
Possess and Brandish Firearm in
Furtherance of a Crime of Violence,
18 U.S.C. § 924(c); Possession of Stolen
Vehicle, 18 U.S.C. § 2313; Money
Laundering, 18 U.S.C. § 1957; Entering
Bank With Intent to Commit Larceny,
18 U.S.C. §§ 2113(a)(second paragraph)
and (f); Bank Larceny, 18 U.S.C.
§ 2113(b); Forfeiture, 18 U.S.C.
§ 981(a)(2)(A), 28 U.S.C. § 2461(c),
18 U.S.C. § 982(a)(1))

SECOND SUPERSEDING INDICTMENT

COUNT ONE

The Grand Jury for the District of Maryland charges that:

On or about January 11, 2011, in the District of Maryland, the defendants,

DARNELL DAVIS,
RONNELL DAVIS, and
CORTEZ MAURICE MALLORY,

did by force, violence and intimidation, take and attempt to take from the person and presence of
employees of the branch of Wells Fargo Bank, N.A., d/b/a Wachovia Bank, located at 7700
Landover Road, Landover, Maryland, a bank whose deposits were then insured by the Federal

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Deposit Insurance Corporation, money in the amount of \$90,000, more or less, belonging to and in the care, custody, control, management and possession of said bank.

18 U.S.C. §§ 2113(a)(first paragraph) & (f)
18 U.S.C. § 2

COUNT TWO

The Grand Jury for the District of Maryland further charges that:

On or about January 11, 2011, in the District of Maryland, the defendants,

**DARNELL DAVIS,
RONNELL DAVIS, and
CORTEZ MAURICE MALLORY,**

did knowingly (1) possess and brandish a firearm in furtherance of, and (2) use, carry and brandish a firearm during and in relation to, a crime of violence for which the defendant may be prosecuted in a court of the United States, that is, bank robbery in violation of Title 18, United States Code, Section 2113(a), as alleged in Count One of this Superseding Indictment and incorporated here.

18 U.S.C. § 924(c)(1)(A)(ii)
18 U.S.C. § 2

COUNT THREE

The Grand Jury for the District of Maryland further charges that:

Between on or about January 11, 2011 and on or about March 8, 2011 in the District of Maryland and elsewhere, the defendant,

DARNELL DAVIS,

did possess a stolen motor vehicle, that is a 2008 Dodge Charger, VIN 2B3LA53H78H308722, which vehicle had crossed a state boundary after being stolen on November 13, 2010, in the District of Columbia, and subsequently brought into Maryland, knowing the same to have been stolen.

18 U.S.C. § 2313

COUNT FOUR

The Grand Jury for the District of Maryland further charges that:

On or about January 28-29, 2011, in the District of Maryland and elsewhere, the
defendant,

RONNELL DAVIS,

knowingly engaged and attempted to engage in a monetary transaction in and affecting interstate
commerce in criminally derived property that was of a value greater than \$10,000 and was
derived from specified unlawful activity, that is, bank robbery, in violation of 18 U.S.C.

§ 2113(a), by purchasing 2009 Dodge Challenger, VIN 2B3LJ54TX9H605522 for \$22,050 at
Manhattan Jeep Chrysler Dodge, Inc. in New York, New York.

18 U.S.C. § 1957(a)

18 U.S.C. § 2

COUNT FIVE

The Grand Jury for the District of Maryland further charges that:

On or about February 8, 2011, in the District of Maryland, the defendants,

**DARNELL DAVIS,
RONNELL DAVIS, and
CORTEZ MAURICE MALLORY,**

did enter and attempt to enter a bank and any building used in whole or in part as a bank – to wit, an automatic teller machine belonging to PNC Bank, N.A., located at 7300 Hanover Parkway, Greenbelt, Maryland, a bank whose deposits were then insured by the Federal Deposit Insurance Corporation – with the intent to commit in such bank and in such building, or part thereof, so used, larceny.

18 U.S.C. §§ 2113(a)(second paragraph) & (f)
18 U.S.C. § 2

COUNT SIX

The Grand Jury for the District of Maryland further charges that:

On or about February 8, 2011, in the District of Maryland, the defendants,

**DARNELL DAVIS,
RONNELL DAVIS, and
CORTEZ MAURICE MALLORY,**

did take and carry away, with the intent to steal and purloin, money in the amount of \$8,000 more or less, and property consisting of the vault of an automated teller machine, in the care, custody, control, management and possession of the U.S. Postal Service Federal Credit Union, located at 7905 Malcolm Road, Clinton, Maryland, a Federal credit union whose accounts were then insured by the National Credit Union Administration Board.

18 U.S.C. §§ 2113(b) & (f)
18 U.S.C. § 2

FORFEITURE ALLEGATION

The Grand Jury for the District of Maryland further charges that:

Bank Robbery Forfeiture

1. As a result of the offenses alleged in Counts One, Five and Six of this Superseding Indictment, the defendants,

**DARNELL DAVIS,
RONNELL DAVIS, and
CORTEZ MAURICE MALLORY,**

shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation. The property to be forfeited includes, but is not limited to, the following:

- a. 2007 Cadillac Escalade, VIN 3GYFK62887G158435;
- b. 2004 BMW, VIN WBAEK73494B322649;
- c. 2009 Dodge Challenger, VIN 2B3LJ54TX9H605522; and/or
- d. \$98,000 in United States currency and all interest and proceeds traceable thereto, in that such sum in aggregate is proceeds obtained, directly or indirectly, as a result of such violation.

Money Laundering Forfeiture

2. As a result of the offense alleged in Count Four of this Superseding Indictment, the defendant,

RONNELL DAVIS,

shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1), any property, real and personal, involved in such offense and any property traceable to such offense. The property to be

forfeited includes, but is not limited to, a 2009 Dodge Challenger, VIN 2B3LJ54TX9H605522; and/or \$22,050, a sum of money equal to the amount of proceeds involved in and traceable to such offenses.

Substitute Assets

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of any defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or,
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property, including, but not limited to the following:

- a. 2010 Chevrolet Camaro, VIN, 2G1FK1EJ0A9116293,
- b. 2003 BMW, VIN WBAGN63443DR10312; and/or

c. 2005 BMW, VIN WBAEK73435B327427.

18 U.S.C. § 981(a)(1)(C)

28 U.S.C. § 2461(c)

18 U.S.C. § 982(a)(1)

Rod J. Rosenstein / WDM

Rod J. Rosenstein
United States Attorney

A TRUE BILL:

SIGNATURE REDACTED

Foreperson

11 / 30 / 11

Date